

LFC Requester:**Kelly Klundt**

**AGENCY BILL ANALYSIS
2016 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original ☐ **Amendment** ☐
Correction ☐ **Substitute** ☒

Date 1/30 2016

Bill No: SB 49S

Sponsor: Sen. Neville

Agency Code: 305

Children's Code and Substitute

Person Writing Susan Sullivan AAG

Short Care Act Changes

Phone: 827-6070

Email ssullivan@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

The substitute for SB 49 contains the following changes:

- Clarification that the “guardian ad litem” represents the best interest of the child in a court proceeding.
- Revising Section 32-A-4-25 (D) to clarify the parties to whom notice is required to be given.
- Restoring in Section 2 (K) the provision requiring the report becoming a permanent record.
- Amending Section 32A-4-25.1(A) to add “as required by council rules” and reworking the section.
- Changing Section 7, C to remove the prohibition of a relative of a person employed by the contributing departments from serving on the council.

FISCAL IMPLICATIONS

SIGNIFICANT ISSUES

The amendment to Section 32A-4-25, Section D, assists in clarifying a potential legal issue related to real party of interest in a judicial proceeding.

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

SB 49 conflicts with HB 28.

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS